Docket No.   111788.00101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: William M. JOHNS et al.

SERIAL NO.:   09/765,431   GAU: 2661

FILED: January 22, 2001   EXAMINER: Unassigned

FOR: SYSTEM AND METHOD FOR CONTINUOUS MONITORING AND MEASUREMENT
         OF PERFORMANCE OF COMPUTERS ON NETWORK

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:
   Applicants wish to disclose the following information.

REFERENCES
■ The applicants wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references
   are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent
   portions of any non-English language references.
□ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES
□ Attached is a copy of applicant's pending application(s) or issued patent(s) which may be related to the present application.
   These documents are listed on form PTO-1449, also attached.
□ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION
□ Each item of information contained in this information disclosure statement was cited for the first time in any
   communication from a foreign patent office in a counterpart foreign application not more than three months prior to the
   filing of this statement.
□ No item of information contained in this information disclosure statement was cited for the first time in any communication
   from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made
   reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing
   of this statement.
□ This Information Disclosure Statement is being filed within three months of the filing date of the subject patent application.
■ This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.
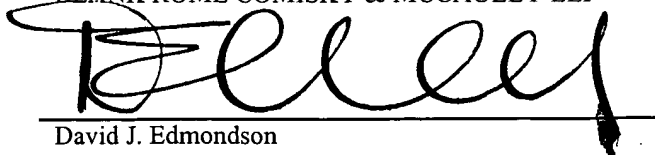
PETITION
□ Applicant(s) hereby request consideration of the attached information. A check is attached in the amount of the Petition fee
   required under 37 CFR §1.17(i)(1).

DEPOSIT ACCOUNT
■ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit
   any overpayment to deposit account number 23-2185. A duplicate copy of this sheet is enclosed.

                              Respectfully Submitted,

                              BLANK ROME COMISKY & MCCAULEY LLP

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                              April 24, 2001

Form PTO 1449 (Modified)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO. 111788.00101		SERIAL NO. 09/765,431
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT William M. JOHNS et al.		
		FILING DATE January 22, 2001	GROUP 2661	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	6,003,079	12/14/1999	Friedrich et al.			
	AB	6,021,439	02/01/2000	Turek et al.			
	AC	6,038,216	03/14/2000	Packer			
	AD	6,041,332	03/21/2000	Miller et al.			
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES	NO
	AO	0 905 621	03/1999	European	X	
	AP	WO 99/63439	12/1999	WIPO	X	
	AQ					
	AR					
	AS					
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	Ferguson et al., *Quality of Service in the Internet: Fact, Fiction, or Compromise?*, 5/11/2000, pp 1-18
	AX	QoS forum.com *Quality of Service FAQ*, 5/9/1999, pp 1-24
	AY	*end-end Internet performance assessments*, 5/11/2000, pp 1-7
	AZ	

Examiner	Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.